

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

David and Irine Shimonov,

Plaintiffs,

v.

Monarch Recovery Management, Inc.; and
DOES 1-10, inclusive,

Defendants.

:
:
:
: Civil Action No.: 1:12-cv-03745-DLI-SMG
:
:
:
:
:
:
:
:
:

**NOTICE OF WITHDRAWAL OF COMPLAINT AND VOLUNTARY
DISMISSAL OF ACTION WITH PREJUDICE
PURSUANT TO RULE 41(a)**

David and Irine Shimonov ("Plaintiffs"), by Plaintiffs' attorney, hereby withdraw the complaint and voluntarily dismiss this action, with prejudice, pursuant to Fed. R. Civ. P. 41(a)(1)(A)(i).

Dated: October 4, 2012

Respectfully submitted,

By: /s/ Sergei Lemberg

Sergei Lemberg (SL 6331)
Lemberg & Associates L.L.C.
1100 Summer Street, 3rd Floor
Stamford, CT 06905
Telephone: (203) 653-2250
Facsimile: (203) 653-3424
Attorneys for Plaintiffs

CERTIFICATE OF SERVICE

I hereby certify that on October 4, 2012, a true and correct copy of the foregoing Notice of Withdrawal was served electronically by the U.S. District Court for the Eastern District of New York Electronic Document Filing System (ECF) and that the document is available on the ECF system.

By /s/ Sergei Lemberg
Sergei Lemberg